I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450,

patent altorneys

June 5, 2006

RICHARD E JENKINS

**IEFFREY L WILSON** 

ARLES A. TAYLOR, JR.

**GREGORY A. HUNT** 

E. ERIC MILLS

BENTLEY J. OLIVE

\*CHRIS PERKINS, PH.D.

"JAMES DALY IV, PH.D.

JEFFREY CHILDERS, PH.D.

P. ASHLEY DARDEN

CHRISTOPHER B. LEE

"DAVID M. SIGMON

TECHNICAL SPECIALIST

AMY ODENBAUGH, PH.D.

\*LICENSED ONLY IN CA

"LICENSED ONLY IN SC

DIPE 4205 SUPPLIES SOME

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 10/574,129 for

ansen E. Averett

Date of Signature: June 5, 2006

A NOVEL SIRNA-BASED APPROACH TO TARGET THE

Alexandria, VA 22313-1450 on June 5, 2006.

HIF-α FACTOR FOR GENE THERAPY

Our Ref. No. 180/179 PCT/US

Sir:

Please find enclosed in connection with the subject U.S. patent application the following documents:

- 1. Information Disclosure Statement (2 pages);
- 2. Form PTO-1449 (2 pages) in duplicate;
- 3. Copies of cited references (4 references); and
- 4. A return-receipt postcard to be returned to us with the U.S. Patent and Trademark Office filing stamp thereon.

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. <u>50-0426</u>.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Arles A. Taylor, Jr. Registration No. 39,395

AAT/jea Enclosures

Customer No: 25297

tel 919.493.8000 fax 919.419.0383

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 5, 2006.

Jansen & Averett
Date of Signature June 5, 2006

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: LI ET AL.

Group Art Unit: unknown

Serial No.: 10/574,129

Examiner: unknown

Filed: March 31, 2006

Docket No.: 180/179 PCT/US

Confirmation No.: unknown

For: A NOVEL SIRNA-BASED APPROACH TO TARGET THE HIF- $\alpha$  FACTOR FOR

**GENE THERAPY** 

\* \* \* \* \* \* \* \* \* \* \* \*

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97, and 1.98, applicants' undersigned attorney brings to the attention of the Patent and Trademark Office the documents listed on the attached Form PTO-1449. Copies of the references as well as Form PTO-1449 are attached hereto. This is not to be construed as a representation that a search has been made or that a reference is relevant merely because cited.

No fee under 37 C.F.R. Section 1.17(p) is due as the undersigned hereby certifies that each item of information contained in this statement was cited in a communication

Serial No.: 10/574,129

from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Early passage of the subject application to issue is earnestly solicited.

Although it is believed that no fee is due, the Commissioner is hereby authorized to charge any fees associated with the filing of this Information Disclosure Statement to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON, TAYLOR & HUNT, P.A.

Date: 06/05/2006

Arles A. Taylor, Jr.

Registration No. 39,395

AAT/jea

Enclosures

Customer No: 25297

PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Cub	atilista for form 1440A/DTO			Complete if Known		
Sub	stitute for form 1449A/PTO			Application Number	10/574,129	
11	FORMATION DISCL	LOS	URE	Filing Date	March 31, 2006	
STATEMENT BY APPLICANT (Use as many sheets as necessary)				First Named Inventor	Li et al.	
				Art Unit		
				Examiner Name		
Sheet	1	of	2	Attorney Docket Number	180/179_PCT/US	

U.S. PATENT DOCUMENTS							
F	0:1-	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where		
Examiner Initials*	Cite No.1	Number - Kind Code <sup>2 (d known)</sup>	MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	1	US-2003/0003092 A1	01-02-2003	KRISSANSEN ET AL.			
***************************************	J	US-					
		US-					
	<u> </u>	US-					
		US-					
	<u></u>	US-					
	<u> </u>	บร-					
	<u> </u>	US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
	I	US-					
	T	US-					

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁵	
	2	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> ) WO 02/083184 A2	10-24-2002	Optis France S.A.			

Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 'Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08b (08-03)
Approved for use through 06/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449B/PTO  INFORMATION DISCLOSURE				Complete if Known		
				Application Number	10/574,129	
				Filing Date	March 31, 2006	
STATEMENT BY APPLICANT  (Use as many sheets as necessary)				First Named Inventor	Li et al.	
			MINI	Art Unit		
				Examiner Name		
Sheet	2	of	2	Attorney Docket Number	180/179_PCT/US	

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.    3
3 INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY, corresponding to PCT application no. PCT/US2004/032710 dated April 13, 2006.  4 WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, corresponding to PCT application no. PCT/US04/32710 dated November 15, 2005.
no. PCT/US04/32710 dated November 15, 2005.

Examiner	Date	,
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.